

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS

APR 1 2024 AM 9:12
FILED-USD-ND-TX
W

Patricia A. Davidson
Plaintiff

v.

Conn Appliance, Inc
Defendant

4-24CV-384-P

Civil Action No.

COMPLAINT

This is a Civil action for actual, punitive, statutory damages and cost brought by Patricia A. Davidson hereinafter, a individual consumer, against Conn Appliance for Violations of the Fair Credit Reporting Act 15 U.S.C § 1681 et seq

* Attach additional pages as needed.

Date

04-30-2024

Signature

Print Name

Address

City, State, Zip

Telephone

Patricia Davidson

Patricia Davidson

805 Heights Drive Apt F

Fort Worth, TX 76112

203001 682-417-1011

Parties

1. Plaintiff, Patricia A. Davidson is a Natural person and consumer as defined by 15 U.S.C 1681a(c), residing in Fort Worth, Texas at address 805 Heights Drive Apt F Upon information and belief, Conn Appliance Inc. is a Domestic for Profit Corporation.
2. Defendant Conn Appliance Inc accepts service of process through its Registered Agent: CT Corporation System 1999 Bryan St. Ste 900 Dallas, Tx 75201-3136
3. The acts of Defendants described in this complaint were performed by Defendants or on Defendants' behalf by its Owners, Office, Agents, and/or employees acting within the scope of their actual or apparent authority. As such all References to "Defendants" in this complaint shall be Defendants or their Owners, Officers, agents, and/or employees.

Basis of Jurisdiction

4. Jurisdiction of this Court arises under 15 U.S.C § 1681(p) and 28 U.S.C§ 1331 The Venue is proper in this Judicial District pursuant to 28 U.S.C 1391(b)(1) and 28 U.S.C§ 1391(b)(2) because a substantial part of events, omissions, or conduct giving rise to the Plaintiff's claim which occurred in this Judicial District. Defendants transact business in Fort Worth, TX. The court has supplemental jurisdiction over state law claims pursuant to 28 U.S.C§ 1367.

Factual Allegations

Existence of a Consumer Report

5. On or about 03/18/2024 a Consumer Report Of Plaintiff was generated and maintained by Experian, a consumer reporting agency as defined by 15 U.S.C§ 1681(a)(f). In the report, Plaintiff observed unauthorized inquiries from Defendant.

Defendant Conn Appliance Inc. accessed the plaintiff's Consumer report seven times on dates 03/21/2023, 04/18/2023, 06/21/2023, 07/24/2023, 08/22/2023, 09/20/2023, 10/25/2023 See Exhibit A

Lack of Permissible Statutory Purpose

6. Defendants Conn Appliance Inc accessed Plaintiff's consumer report without permissible purpose, as required by 15 U.S.C§ 1681 b(f). Discovery will show the plaintiff Had no existing business relationship, contractual obligations, or any transactions with Conn Appliance Inc that would allow for such inquiries under 15 U.S.C§ 1681(a)(3)(A) or any provision.

7. Upon accessing Plaintiff's consumer report, Defendants Conn Appliance Inc did not take any follow-up action, thereby indicating a lack of permissible purpose for those inquiries. Discovery will show Plaintiff never gave any consent to the defendant to access her Consumer report.

Requisite Mental State (Willfulness)

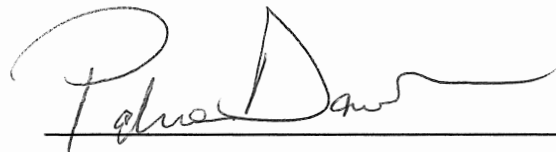
8. Discovery will show despite this knowledge Defendants Conn Appliance Inc. intentionally and recklessly disregarded their obligations under the FCRA and did not verify a purported debt or take other actions that would constitute a permissible purpose of accessing the Plaintiff's consumer report.

9. Plaintiff's injury is "Particularized" and "Actual" in that the conduct deprived Plaintiff of her rights was directed by Defendants to Plaintiff Specifically. Plaintiff's injury is "Particularized" and "Actual" in that Plaintiff has suffered emotional distress from Defendant's unauthorized access to her Credit Report.

10. Plaintiff's injury is "Particularized" and "Actual" in that Plaintiff has suffered an invasion of privacy. This intrusion into the "Plaintiff's personal information caused the feeling of vulnerability, worry, and anxiety, which led to sleeplessness and Headaches. Plaintiff's injury is "Particularized" and "Actual" in that the Plaintiff has suffered fear and anger over the invasion of privacy. A favorable decision would serve to deter Defendants from Similar conduct. Also, a favorable decision herein would redress Plaintiff with monetary damages.

11. Wherefore Patricia A Davidson respectfully demands a jury trial and requests that a Judgment trial and Request that Judgement be entered in favor of the Plaintiff against the defendant for (a) actual damages, statutory damages, and potentially punitive damages.

Dated this 30 of April 2024

A handwritten signature in cursive script, appearing to read "Patricia Davidson", written over a horizontal line.A handwritten signature in cursive script, appearing to read "Patricia Davidson", written over a horizontal line.

CLARITY/FINWISE BANK 820 E 9400 S SANDY UT 84094 No phone # available INQUIRY DATES: 12.15.23 |

ALERT-IPH/EXPERIAN 704 EXPERIAN PKWY ALLEN TX 75013 (888) 397 3742 On behalf of 308744829 for 30 INQUIRY DATES: 12.11.23 |

NAV TECHNOLOGIES INC 12936 S FRONTRUNNER BLVD # 550 DRAPER UT 84020 No phone # available INQUIRY DATES: 12.11.23 | 09.13.23 | 07.27.23 |

CREDIT KARMA INC 760 MARKET ST FL 2 SAN FRANCISCO CA 94102 (415) 510 5272 INQUIRY DATES: 12.03.23 | 08.25.23 |

CHARTER COMMUNICATION 12405 POWERSCOURT DR SAINT LOUIS MO 63131 No phone # available INQUIRY DATES: 11.24.23 | 11.23.23 | 11.22.23 | 09.25.23 |

THE CASH STORE/CFAS 1901 GATEWAY DR STE 200 IRVING TX 75038 No phone # available INQUIRY DATES: 11.06.23 |

CONN APPLIANCES INC 2445 TECHNOLOGY FOREST BLVD800 THE WOODLANDS TX 77381 No phone # available INQUIRY DATES: 10.25.23 | 09.20.23 | 08.22.23 | 07.24.23 | 06.21.23 | 04.18.23 | 03.21.23 |

FORTIVA/ATLANTICUS/TBOM 5 CONCOURSE PKWY STE 400 ATLANTA GA 30328 No phone # available INQUIRY DATES: 10.24.23 |

FIRST ADVANTAGE/EMPLOYMENT 140 FOUNTAIN PKWY N STE 410 ST PETERSBURG FL 33716 (727) 290 1000 On behalf of QUEST DIAGNOSTICS INCORP for 30 INQUIRY DATES: 10.13.23 |

ASPIRE/ATLANTICUS/TBOM 5 CONCOURSE PKWY STE 400 ATLANTA GA 30328 No phone # available INQUIRY DATES: 10.09.23 | 08.29.23 |

CLARITY/LOANMAX 3440 PRESTON RIDGE RD STE 500 ALPHARETTA GA 30005 No phone # available INQUIRY DATES: 10.04.23 |

CLARITY/SELECTMANAGEMENT 3440 PRESTON RIDGE RD STE 500 ALPHARETTA GA 30005 No phone # available INQUIRY DATES: 10.04.23 |

TRANSUNION INTERACTIVE I 100 CROSS ST STE 202 SAN LUIS OBISPO CA 93401 (805) 782 8282 INQUIRY DATES: 09.19.23 |

CHARTER COMMUNICATION 12405 POWERSCOURT DR SAINT LOUIS MO 63131 No phone # available INQUIRY DATES: 09.07.23 |

ONEMAIN PO BOX 1010 EVANSVILLE IN 47706 (844) 298 9773 INQUIRY DATES: 09.07.23 | 05.26.23 |

CLARITY/AANIIH NAKODA FIANANC 353 OLD HAYS RD HAYS MT 59527 No phone # available INQUIRY DATES: 08.28.23 | 06.12.23 |

PREMIER BANKCARD INC 3820 N LOUISE AVE SIOUX FALLS SD 57107 (800) 987 5521 INQUIRY DATES: 08.16.23 |

ACIMA DIGITAL LLC 9815 S MONROE ST SANDY UT 84070 (801) 297 1920 INQUIRY DATES: 08.11.23 | 08.04.23 | 07.01.23 | 03.28.23 |

EXPERIAN PO BOX 2002 ALLEN TX 75013 (888) 397 3742 INQUIRY DATES: 08.10.23 |

EXPERIAN 475 ANTON BLVD COSTA MESA CA 92626 No phone # available INQUIRY DATES: 08.08.23 |

CONVERGENT OUTSOURCING, 800 SW 39TH ST RENTON WA 98057 (888) 871 2279 INQUIRY DATES: 08.07.23 |

EXPERIAN 475 ANTON BLVD COSTA MESA CA 92626 No phone # available INQUIRY DATES: 08.05.23 | 07.25.23 | 06.22.23 | 05.12.23 | 05.04.23 |

ACIMA DIGITAL LLC 13907 S MINUTEMAN DR DRAPER UT 84020 No phone # available INQUIRY DATES: 08.04.23 | 07.01.23 | 03.28.23 |

ACIMA DIGITAL LLC 13907 S MINUTEMAN DR DRAPER UT 84020 No phone # available INQUIRY DATES: 08.04.23 | 07.01.23 | 03.28.23 |

CLARITY/ACIMA DIGITAL 13907 S MINUTEMAN DR DRAPER UT 84020 No phone # available INQUIRY DATES: 08.04.23 | 07.01.23 | 03.28.23 |

CLARITY/ACIMA DIGITAL 13907 S MINUTEMAN DR DRAPER UT 84020 No phone # available INQUIRY DATES: 08.04.23 | 07.01.23 | 03.28.23 |

EDC/ALLIANCE RESIDENTIAL PO BOX 26 ALLEN TX 75013 (877) 704 4519 INQUIRY DATES: 08.02.23 |

CREDENCE RESOURCE MANAGE 17000 DALLAS PKWY STE 204 DALLAS TX 75248 (855) 876 5380 INQUIRY DATES: 07.28.23 |

ACE CASH EXP/POPULUS 300 E. JOHN CARPENTERFWY IRVING TX 75062 No phone # available INQUIRY DATES: 07.21.23 |

CONTINENTAL FINANCE COMP 4550 NEW LINDEN HILL RD #400 WILMINGTON DE 19808 No phone # available INQUIRY DATES: 07.20.23 |

CLARITY/CCBANK-TLS-LENL 3280 N UNIVERSITY AVE PROVO UT 84604 No phone # available INQUIRY DATES: 07.11.23 |

CLARITY/FEB-OPP FINANICIA 2150 S 1300 E SALT LAKE CITY UT 84106 No phone # available INQUIRY DATES: 07.06.23 |

AT&T SERVICES 12911 E 183RD ST CERRITOS CA 90703 No phone # available INQUIRY DATES: 06.28.23 |

CLARITY/COMMUNITY LOANS OF AM 8601 DUNWOODY PL STE 406 ATLANTA GA 30350 No phone # available INQUIRY DATES: 06.28.23 |

CLARITY/WITHU LOANS 8151 HIGHWAY 177 RED ROCK OK 74651 No phone # available INQUIRY DATES: 06.23.23 |

CREDIT MANAGEMENT, LP 4200 INTERNATIONAL PKWY CARROLLTON TX 75007 No phone # available INQUIRY DATES: 06.07.23 |

TXU ENERGY PO BOX 223705 DALLAS TX 75222 No phone # available INQUIRY DATES: 06.05.23 |

CLARITY/TAB BANK/INTEGRA 4185 HARRISON AVE OGDEN UT 84403 No phone # available INQUIRY DATES: 05.26.23 |

I C SYSTEM INC PO BOX 64378 SAINT PAUL MN 55164 (888) 735 0516 INQUIRY DATES: 05.20.23 |

exhibit A

MAY 1 2024 AM 9:18
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JS 44 (Rev. 04/21) (TXND 4/21)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFSPatricia A. Davidson**(b)** County of Residence of First Listed Plaintiff Tarrant

(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)**DEFENDANTS**Conn Appliances IncCounty of Residence of First Listed Defendant Montgomery

(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

4-24CV-384-P**II. BASIS OF JURISDICTION** (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☒ 2 Federal Question (U.S. Government Not a Party)
- ☐ 3 U.S. Government Defendant
- ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | PTF | DEF | | PTF | DEF |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)Click here for: [Nature of Suit Code Descriptions.](#)

| CONTRACT | TORTS | FORFEITURE/PENALTY | BANKRUPTCY | OTHER STATUTES |
|---|--|---|---|--|
| <input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise | PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice | <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability LABOR <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability | <input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 INTELLECTUAL PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark <input type="checkbox"/> 880 Defend Trade Secrets Act of 2016 SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609 | <input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input checked="" type="checkbox"/> 480 Consumer Credit (15 USC 1681 or 1692) <input type="checkbox"/> 485 Telephone Consumer Protection Act <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes |
| REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property | CIVIL RIGHTS <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education | PRISONER PETITIONS Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement | <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions | |

V. ORIGIN (Place an "X" in One Box Only)

- ☐ 1 Original Proceeding
- ☐ 2 Removed from State Court
- ☐ 3 Remanded from Appellate Court
- ☐ 4 Reinstated or Reopened
- ☐ 5 Transferred from Another District (specify)
- ☐ 6 Multidistrict Litigation - Transfer
- ☐ 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

Brief description of cause:

Fair Credit Reporting Act 15 U.S.C 1681 b (F)**VII. REQUESTED IN COMPLAINT:**
☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$

6,500.00

CHECK YES only if demanded in complaint:

JURY DEMAND: ☒ Yes ☐ No